

REMARKS

In response to the Office Action dated May 9, 2008, claims 1, 12 and 23 have been amended. Claims 1-34 are in the case. Reexamination and reconsideration of the application, as amended, are requested.

The Office Action rejected claims 1-4, 8-14, 16-18, 21-26, 29-31 and 33-34 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cheatle et al. (U.S. Patent Publication No. 2002/0140988) in view of MacQueen et al. (U.S. Patent No. 6,871,200). The Office Action rejected claims 5-7, 15, 19, 20, 27, 28 and 32 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cheatle et al. in view of MacQueen et al. and in view of Bollman et al. (U.S. Patent No. 5,978,519).

The Applicants respectfully traverse this rejection based on the amendments to the claims and the arguments below.

The Applicants' claimed invention now includes designating, by the legal owner of the logo, information associated with the graphic symbol and transmitting the information associated with said graphic symbol back to the electronic image that is in the user's possession, wherein a new updated version of the electronic image with the information associated with the graphic symbol is presented to the user.

In addition, claim 12 further includes designating, by the legal owner of the logo, marketing information associated with the graphic symbol, including World Wide Web hyperlinks to marketing material, business contact information and online interactive maps with driving directions to the business, and wherein, a new updated version of the electronic image with the information associated with the graphic symbol is presented to the user. Support for these newly added features can be found throughout the specification and at least in paragraphs [0041] – [0044] of the Applicants' U.S. Patent Publication No. 2005/0015370.

In contrast, the combined references are missing these **newly** added features as specifically claimed. For example, the combined references disclose registering rights in graphic works (see abstract of MacQueen et al.), taking an electronic image of a scene with a barcode in the background of the scene and recognizing and reading the barcode by the camera taking the picture for future linking of information using the barcode (see Abstract, FIGS. 1-2 and paragraphs [0001] – [0004] and [0054] of Cheatle et al.) and cropping graphics from an image (see Abstract of Bollman et al.).

For example, first, although the combined references disclose registering graphic images (see Abstract of MacQueen et al.), the combined references do **not** make a predetermination of registration to avoid misrecognition and intentional tampering, like the Applicants' claimed invention. In addition, the combined references clearly do **not** disclose, teach or suggest the Applicants' claimed designating, by the legal owner of the logo, information associated with the graphic symbol transmitting the information associated with said graphic symbol back to the electronic image that is in the user's possession, wherein a new updated version with the information associated with the graphic symbol is presented to the user.

Further, with regard to claim 12, unquestionably, the combined references do **not** disclose, teach or suggest the Applicants' claimed designating, by the legal owner of the logo, **marketing information** associated with the graphic symbol, including World Wide Web hyperlinks to marketing material, business contact information and online interactive maps with driving directions to the business.

Therefore, since the combined cited references are **missing** features of the Applicants' claimed invention, the combined references cannot render the Applicants' invention obvious. This failure of the cited reference to disclose, teach, or suggest or provide motivation for the Applicants' claimed invention, indicates a lack of a prima facie case of obviousness and, thus, the obviousness rejection should be withdrawn (MPEP 2143).

Last, with regard to the dependent claims, since they depend from the above-argued respective independent claims, they are therefore patentable on the same basis. (MPEP § 2143.03).

Thus, it is respectfully requested that all of the claims be allowed based on the

amendments and arguments. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. Additionally, in an effort to further the prosecution of the subject application, the Applicants kindly **request** the Examiner to telephone the Applicants' attorney at **(818) 885-1575**.

Please note that all mail correspondence should continue to be directed to

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